

# United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,906		09/11/2003	Yuming Pang	1203-006/ddh	6371
21034	7590	02/16/2006		EXAMINER	
IPSOLON			PASCUA, JES F		
111 SW CC SUITE 710		A		ART UNIT	PAPER NUMBER
PORTLAN	PORTLAND, OR 97201			3727	
				DATE MAILED: 02/16/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/660,906	PANG, YUMING				
Office Action Summary	Examiner	Art Unit				
	Jes F. Pascua	3727				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be time rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE!	I.  lely filed  the mailing date of this communication.  O (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 11 Ja						
,						
•	e this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	ix parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.				
Disposition of Claims						
4) ☐ Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-12 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	vn from consideration.					
Application Papers						
9) The specification is objected to by the Examine  10) The drawing(s) filed on is/are: a) accomplicated any not request that any objection to the Replacement drawing sheet(s) including the correct to by the Examine	epted or b) objected to by the bed on the bed on by the bed on the	e 37 CFR 1.85(a). lected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)	4) 🔲 Interview Summary	(PTO.413)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail Da					
S. Patent and Trademark Office						

Application/Control Number: 10/660,906

Art Unit: 3727

#### **DETAILED ACTION**

### Terminal Disclaimer

1. The terminal disclaimer filed on 01/11/2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,623,162 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (previously cited) and Booth et al. (previously cited).

Cook et al. discloses the claimed device except for the block bottom being formed with edges of all paper plies and plastic ply in the front flap portion of the bag bottom opening being coextensive and the edges of the plastic ply in the back flap portion of the bag bottom opening being aligned with edges of the opening in the front flap portion and the edges of at least one paper ply in the back flap portion being stepped outwardly relative to the edges of the plastic in the back flap portion. Booth et al. discloses that it is known in the art to provide a block-bottomed bag wherein the edges of all paper plies and plastic ply in the front flap portion of the bag bottom

Application/Control Number: 10/660,906 Page 3

Art Unit: 3727

opening being coextensive and the edges of the plastic ply in the back flap portion of the bag bottom opening being aligned with edges of the opening in the front flap portion and the edges of at least one paper ply in the back flap portion being stepped outwardly relative to the edges of the plastic in the back flap portion. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the block bottom of Cook et al. the edges for the paper plies and plastic ply as taught by Booth et al., in order to cover the entire surface area of the bag interior.

In the alternative, Booth et al. discloses the claimed device except for the top of the bag being open with the top edge of the back panel extending beyond the top edge of the front panel to define a closure flap with the outermost paper ply in the front panel including a cut out segment across a portion of the front panel at the top edge. Cook et al. discloses that it is known in the art to provide an open top, block-bottom bag wherein the back panel extends beyond the top edge of the front panel to define a closure flap with the outermost paper ply in the front panel including a cut out segment across a portion of the front panel at the top edge. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the top end of the Booth et al. bag with the back panel flap and front panel cut out segment of Cook et al., in order to permit the bag to be filled on a tubular PBOM bag filler.

## Response to Arguments

4. Applicant's arguments with respect to claims 1-12 have been considered but are most in view of the new ground(s) of rejection.

### Conclusion

Page 4

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jes F. Pascua whose telephone number is 571-272-4546. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3727

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jes F. Pascua Primary Examiner Art Unit 3727

**JFP**